



VIA FACSIMILE AND E-MAIL

June 20, 2006

Mayer, Brown, Rowe & Maw LLP
71 South Wacker Drive
Chicago, Illinois 60606-4637

Main Tel (312) 782-0600
Main Fax (312) 701-7711
www.mayerbrownrowe.com

John C. Berghoff, Jr.
Direct Tel (312) 701-7315
Direct Fax (312) 706-8605
jberghoff@mayerbrownrowe.com

W. Eason Mitchell, Esq.
The Colom Law Firm, LLC
200 Sixth Street North
Suite 102
Columbus, MS 39701

Re: Lockhart Litigation

Dear Eason:

Based upon our prior telephone discussion, I am writing to follow-up on Defendants' request for the videotaped statements of Roy Ezell, John "Buck" Roberts, Jacky Partridge, and Carlton Dukes.

You expressed the following concerns over disclosing the materials which we believe we can remedy. First, you did not want to be called as a witness concerning the substance of any statements. We can assure you that Defendants have no intention of calling you as a witness related to these materials if they are produced.

Second, you concerned that disclosure of the statements could be interpreted as a waiver of any applicable attorney-client privilege or work product protection. Defendants will stipulate that disclosure of the statements will not operate as a waiver of any applicable privilege or protection as to these statements specifically or to additional categories of communications or materials generally.

Third, you concerned that disclosure of the statements could lead to additional motion practice and delay. Defendants have no intention of using the statements to delay the expedited depositions or other proceedings. To the contrary, given your representations that many of the deponents suffer from diminishing memory, these statements are needed so that Defendants can effectively prepare to meet the agreed upon expedited deposition schedule.

Given the upcoming expedited depositions, Defendants seek to obtain these witness statements in short order. If we are unable to reach an agreement, you understand that our clients may decide to seek resolution of this matter by filing a motion to compel.



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Independent Mexico City Correspondent: Jauregui, Navarrete y Nader S.C.

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Mayer, Brown, Rowe & Maw LLP

W. Eason Mitchell, Esq.

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Sincerely,



John C. Berghoff, Jr.

cc: Mark Ter Molen (email)
Dennis R. Bailey (email)
R. Austin Huffaker (email)
H. Thomas Wells, Jr. (email)
John A. Earnhardt (email)
Gregory A. Cade (fax and email)
Bob Palmer (fax and email)
Bernard Taylor, Sr. (email)
Douglas S. Arnold (email)